

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1976 OF 2007

Dastgeer Babu Shaikh. ...Applicant.  
**Versus**  
The State of Maharashtra ...Respondent.

Mr.K.H.Giri, Adv. .... for the Applicant.

Mr.S.R.Shinde, APP, for the State.  
....

**CORAM : SMT.V.K.TAHILRAMANI, J.**

**DATED : 19th June, 2007.**

**P.C.:**

1. Heard the learned Advocate for the Applicant and the learned APP for the State.

2. The applicant is seeking anticipatory bail in FIR No.80 of 2007 of BKC Police Station. The said case is mainly under Section 452 of IPC.

3. It is the prosecution case that the applicant along with others entered into the office of the complainant and damaged office furniture. The complainant is the Supervisor of the builder who was developing the property under the S.R.A. Scheme. The name of the applicant is not mentioned in the complaint. The incident occurred on 12th May, 2007 at about 6:00 p.m. and the FIR is registered on 15th May, 2007.

4. The learned APP states that one of the eye witness Mr.Shaikh has named the applicant. However, on perusal of the statement, it is noticed that the name of the applicant is not mentioned therein. Thereupon, the learned APP has stated that the name "Mandi" mentioned in the statement is that of the present applicant. The name of applicant is Dastgeer Babu Shaikh. There is no material on record to show that the applicant is also known as "Mandi".

5. In this view of the matter, I am inclined to grant anticipatory bail to the applicant.

6. In the event of arrest, the applicant Dastgeer Babu Shaikh to be released on bail in the sum of Rs.25,000/- with one or two sureties to make up the said amount. The applicant shall report to BKC Police Station everyday for a period of one month between 10:00 a.m. to 2:00 p.m.; and thereafter twice in a week till conclusion of the trial.

7. Application is disposed of accordingly.

**(SMT.V.K.TAHILRAMANI, J. )**